

Ask the US Embassy

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Question: My daughter has a 10-year nonimmigrant visa valid until 2018, but her passport will be expiring in the next few months. Do I need to come to the embassy to have her visa transferred before she can travel again?

Answer: No, it is not necessary for you to come to the embassy to have her visa transferred. When your daughter travels, she will need to take her new passport, which is valid, as well as her old passport, which has the valid U.S. visa. Our office hosts regular training for Jamaican airline employees, in addition to their own training, and they know to look for a valid passport, as well as a valid U.S. visa when checking-in travelers on flights to the U.S.

We often receive questions about travel documents, as well as damaged or partially destroyed visas. To best answer these, we want to describe the process of obtaining a visa and using it for traveling to the U.S.

Who Gives Me Permission to the Enter the U.S.?

When you apply for and are issued a U.S. visa, it means that the Department of State (through its embassies and consulates) has determined that you qualify for a visa based on U.S. immigration law. A visa gives you the opportunity to “knock on the door” of the U.S.

Once you travel to a U.S. port of entry, such as an airport or cruise terminal, you are evaluated by the Department of Homeland Security, specifically the Customs and Immigration Service. Customs officials review your passport, your visa, and your purpose of travel and make a decision as to whether you should be granted entry to the United States and for how long you can remain. Although many people may be granted up to six months, customs officials make this decision on a case-by-case basis.

From the visa perspective, while you may be allowed six months’ stay by customs officials, when you apply for a visa renewal, we may consider several things about your stay in the U.S., including, but not limited to, whether your stays in the U.S. were:

- Temporary;
- In-line with your employment situation in Jamaica; and
- Consistent with the purpose of travel that you gave when your visa was issued.

For example, if Jamaicans travel to the U.S. for six months each year, we may need more information about how you remained connected to Jamaica with social, economic, or employment ties during your stays in the U.S.

At the port of entry, customs officials also determine if they want to further interview you about your purpose of travel or intent while in the United States. Occasionally, these officials can determine that travelers should not be allowed to enter the U.S., despite having a valid visa; in that circumstance, customs officials may ask travelers to withdraw their application to enter the U.S. or, in more severe cases, order individuals to be removed back to their home country.

Damaged or Partially Destroyed Visas

If your visa is damaged or partially destroyed, you may have difficulty being admitted to the U.S. at the port of entry. While our office can advise you of whether or not your visa is still valid and readable, we cannot guarantee that customs officials at the ports will allow your entry. Travelers may be instructed to return to the embassy (after the conclusion of their trip to the United States) to reapply for a new visa, or may be delayed while customs officials verify that the damage has not compromised your visa. In other circumstances, minor damage to your visa or passport may be completely acceptable to customs officials. While there is no steadfast rule for what amount of damage is OK, any damage that destroys the machine readable zone (set of numbers) at the bottom of your visa will likely cause you delays at the port of entry and you should consider applying for a new visa.

At any time, visa holders are welcome to reapply for a new visa, including if their visa has been damaged or partially destroyed. Please note that each time an individual applies for a visa, we re-evaluate your situation. In certain cases, such as if your situation has changed significantly since you were last issued a visa, individuals may no longer qualify for a visa. However, as in each interview, officers carefully weigh numerous factors, which can include your travel history and other parts of your application, before making a decision on your qualification. Our overall goal always remains fostering legitimate travel to the United States for qualified applicants.